

1 WILLIAM A. ISAACSON (*Pro Hac Vice*)
(wisaacson@bsfllp.com)
2 BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Ave, NW, Washington, DC 20015
3 Telephone: (202) 237-2727; Fax: (202) 237-6131

4 JOHN F. COVE, JR (*Pro Hac Vice*)
(jcove@bsfllp.com)
5 BOIES, SCHILLER & FLEXNER LLP
1999 Harrison Street, Suite 900, Oakland, CA 94612
6 Telephone: (510) 874-1000; Fax: (510) 874-1460

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES, SCHILLER & FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
9 Telephone: (702) 382 7300; Fax: (702) 382 2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
700 South 7th Street, Las Vegas, Nevada 89101
13 Telephone: (702) 382-5222; Fax: (702) 382-0540

14 *Attorneys for Defendant Zuffa, LLC, d/b/a*
15 *Ultimate Fighting Championship and UFC*

16
17
18 UNITED STATES DISTRICT COURT
19 DISTRICT OF NEVADA
20

21 Cung Le, Nathan Quarry, Jon Fitch, Brandon
22 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
23 others similarly situated,

24 Plaintiffs,

25 v.

26 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

27 Defendant.
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF KIRK D.
HENDRICK IN SUPPORT OF ZUFFA,
LLC'S OPPOSITION TO THE MOTION
TO CHALLENGE PRIVILEGE
DESIGNATION**

1 I, Kirk D. Hendrick, declare as follows:

2 1. I am over 21 years old and have personal knowledge of the information in this
3 declaration. I have been employed by Zuffa, LLC ("Zuffa") since 2002 and I am currently
4 Executive Vice President and Chief Legal Officer for Zuffa. I have personal knowledge of the
5 facts stated in this declaration and if called to testify, I would and could competently testify to
6 those facts.

7 2. Michael Mersch formerly served as the Senior Vice President for Business and
8 Legal Affairs and Assistant General Counsel for Zuffa, LLC and reported to me in my role as
9 Chief Legal Officer.

10 3. Part of Mr. Mersch's role as Assistant General Counsel was drafting, revising and
11 advising on contractual language for use in agreements with athletes and other third parties. Mr.
12 Mersch would often seek my legal advice on proposed contractual language and drafts of
13 contracts.

14 4. I have reviewed the email sent from Mr. Mersch to me and Mr. Lawrence Epstein
15 in February of 2014 labeled with the Document ID MMERSCH00066967. In this document, Mr.
16 Mersch was acting in his capacity as Assistant General Counsel and seeking my legal advice as
17 Chief Legal Officer regarding the sufficiency of proposed contractual language to be included in
18 an agreement with an athlete.

19
20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing facts are true and correct. Executed this thirteenth day of May 2016, in Las Vegas,
22 Nevada.

23
24 
Kirk D. Hendrick